

1  
2  
3  
4  
5  
6  
7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
9

10 JOHN ADAMS, et al.,

CASE NO. CV F 02-5741 LJO

11 Plaintiffs,

**ORDER TO SET STATUS CONFERENCE**

12 vs.

13 PAUL SPEERS, et al.,

Date: October 16, 2006

Time: 8:30 a.m

Dept.: 8 (LJO)

14 Defendants.  
15 \_\_\_\_\_/

16 This Court set an April 12, 2006 status conference to address defendant Paul Speers'  
17 ("defendant's") appeal of summary judgment in favor of plaintiffs John Adams and Cathy Adams  
18 (collectively "plaintiffs"). Defendant appeared by California Deputy Attorney General Scott Wyckoff.  
19 **Plaintiffs failed to appear at the status conference.** Defense counsel explained that briefing is  
20 completed before the Ninth Circuit Court of Appeals and that the parties await a date for oral argument.  
21 On the basis of good cause, this Court SETS a status conference for **October 16, 2006** at 8:30 a.m. in  
22 Department 8 (LJO) to address the status of the appeal and whether this action may proceed in this  
23 Court. Unless plaintiffs' counsel offers **in writing** a genuine, legitimate explanation and excuse for his  
24 failure to appear on April 12, 2006, plaintiffs' counsel shall appear **in person** at the October 16, 2006  
25 status conference or such other reset status conference. Defense counsel may appear at the October 16,  
26 2006 by telephoning the Court at (559) 499-5680.

27 IT IS SO ORDERED.

28 **Dated: April 12, 2006** \_\_\_\_\_

**/s/ Lawrence J. O'Neill** \_\_\_\_\_

66h44d

UNITED STATES MAGISTRATE JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28